ARTICLE XI
USE REGULATIONS

SECTION 1101. GENERAL INTENT AND APPLICATION

It is the intent of these requirements that uses be regulated for the purpose of protecting the public health, safety and welfare. Each of the following land uses contains criteria which shall be addressed by the applicant and reviewed by the Zoning Officer when a permitted use, or by the Board of Supervisors when a conditional use.

SECTION 1102. ADULT ORIENTED BUSINESSES

In the enactment of this Ordinance, it is recognized that adult-related facilities or business, because of their very nature, have serious objectionable operational characteristics, particularly when several such businesses are concentrated in a given area thereby having a deleterious effect upon adjacent land uses. Special regulation of these adult-related facilities or businesses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The location of adult-related facilities is also of vital concern to society with regard to their proximity to areas where minors may learn, play or congregate. On the other hand, it is recognized that adult-related facilities are protected under the First Amendment, and the market for these businesses must remain essentially unrestrained. It is the goal and purpose of this Ordinance to protect the health, safety, morals and general welfare to the extent authorized by the Municipalities Planning Code while at the same time maintaining community access to adult establishments so as to not violate the First Amendment's guarantee of freedom and expression.

A. All adult-oriented businesses shall have a minimum lot area of four (4) acres.

B. The lot width at the street right-of-way line shall be a minimum of two hundred (200) feet.

C. Access shall be via an arterial or limited access street.

D. An adult-oriented business shall not be permitted within one thousand (1000) feet of any other adult-oriented business.

E. An adult-oriented business shall not be permitted within one thousand (1000) feet of any public or private school, day care facility, public recreation facility, commercial recreation or entertainment facility, library, museum, or church. No

adult-oriented business may be established within two hundred (200) feet of any residentially-zoned land.

F. No performance, service, materials, merchandise, or film offered for sale, rent, lease, loan or for view within the premises shall be exhibited or displayed outside of a building or be visible from outside the building or structure.

G. Any buildings or structures must be set back at least one hundred (100) feet from any property or street right-of-way.

H. A buffer yard of at least one hundred (100) feet wide must be located on the site in all instances.

I. Trees and shrubs must be planted in the buffer yard so as to form an effective visual barrier between the business and all adjoining properties, including road frontage. Trees shall be of such dimensions and variety that they will achieve a minimum height of six (6) feet in the year after issuance of the permit.

J. Any building or structure used and occupied as an adult-oriented business shall be windowless, or have an opaque covering over all windows and doors where performance, service, materials, merchandise, or film are exhibited or displayed.

K. No sign shall be located upon the premises which depicts a visual representation of the type of performance, service, materials, merchandise, or film being offered therein.

L. All entrances to the premises shall be posted with notices that persons under the age of eighteen (18) years are not permitted to enter and warning all other persons that they may be offended by the performance, service, materials, merchandise, of film exhibited or displayed therein.

M. No adult-oriented business may change to another adult-oriented business except upon approval by an additional special exception.

N. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate.

O. No unlawful sexual activity or conduct shall be permitted.

P. No more than one (1) adult-oriented business may be located within one building.

SECTION 1103. AIRSTRIP, AIRPORT, HELIPORT, HELISTOP

A. All airstrips or airports shall have a minimum lot area of twenty (20) acres.

B. The approach zone to any of the proposed runways or landing strips shall be in accordance with the regulations of applicable Federal and/or State agencies.

C. There shall be no existing flight obstructions such as towers, chimneys, or other tall structures or natural obstructions outside the airport and located within the proposed approach zones.

D. Any building, hanger or structure shall be located a sufficient distance away from the landing strip in accordance with the recommendations of applicable Federal and/or State agencies.

E. Building heights in airport approach zones shall be limited to provide a clear glide path from the end of the useable landing strip. The glide path shall be a plane surface laid out in accordance with the operating characteristics of the aircraft for which the airport is designed. The first five hundred (500) feet of the glide path shall be wholly within the airport property.

F. The applicant shall furnish evidence of obtaining a license from the Pennsylvania Department of Transportation Bureau of Aviation.

G. No part of any runway or taxiway shall be within three hundred (300) feet of any property line. Additionally, no pad for any heliport shall be within one hundred fifty (150) feet of any property line.

SECTION 1104. AMUSEMENT ARCADES

A. The subject tract shall front on and gain access from either an arterial or major collector road, or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

B. All activities shall be located within wholly enclosed buildings.

C. The applicant shall produce evidence that the proposed land use will not create a nuisance due to noise or loitering on the premises.

D. One parking space per employee plus one space for each eighty (80) square feet of gross leasable floor area shall be provided.

E. The property shall be kept free of litter at all times in accordance with a plan for the clean-up of litter to be provided by the applicant.

SECTION 1105. ANIMAL HOSPITALS AND VETERINARY CLINICS

A. The subject tract shall front on and gain access from either an arterial, major collector, or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

B. Suitable control shall be exercised over the animals so that a nuisance condition is not created in terms of excessive noise, dirt, or odor.

C. Animals shall be restricted from using areas not fully enclosed in a building from 8:00 P.M. to 8:00 A.M.

D. All animal boarding buildings that are not wholly-enclosed, and any outdoor animal pens, stalls, or runways shall be a minimum of one hundred (100) feet from all property lines; and a minimum of two hundred (200) feet from any adjacent residence whose owner is other than the animal building owner.

E. All animal wastes shall be regularly cleaned up and properly disposed.

F. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of the animals; all such enclosures shall be set back a minimum of ten (10) feet from all property lines and a minimum of one hundred (100) feet from any adjacent residence whose owner is other than the animal keeping owner.

G. A minimum lot size of four (4) acres shall be required.

H. Satisfactory evidence must be presented to show that adequate disposal of animal waste and carcasses will be provided in a manner that will not be a public health hazard or a public nuisance.

SECTION 1106. ANTIQUE SALES

A. Any outdoor display of articles for sale shall be at least fifty (50) feet from any property or street line.

B. Adequate off-street parking must be provided.

C. Any sign that may be permitted shall be set back at least forty (40) feet from any street line.

SECTION 1107. BANKS AND SIMILAR FINANCIAL INSTITUTIONS

A. All drive-thru window lanes shall be separated from the parking lot's interior access drives.

B. All automated teller machines shall be located so that the on-site movement of vehicles will not be hampered by those cars belonging to persons using the automated teller machines.

C. Stacking lanes of at least one hundred (100) feet shall be provided associated with drive-thru windows, to prevent vehicle stacking on adjoining roads.

D. Any exterior microphone/speaker system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties and not be activated before 9:00 a.m. or after 8:00 p.m.

SECTION 1108. BED AND BREAKFAST ESTABLISHMENTS

A. Such an establishment shall be located in a private residence.

B. No external modifications which would alter the residential character of the dwelling, with the exception of fire escapes, are permitted.

C. All floors above ground level shall have an emergency escape access to ground level.

D. One off-street parking space shall be provided for each proposed bedroom in addition to the required spaces for the existing dwelling.

E. A bed and breakfast shall not include more than ten (10) rooms for rent; and meals, if offered, shall be available only for registered overnight guests.

F. All served meals shall be included in the lodging fee. No meals may be served to the general public.

G. All appropriate State licenses shall be obtained.

H. Vegetative screening shall be located around the perimeter of the parking area to preserve the residential appearance of the property.

I. A smoke alarm shall be placed in each rented area.

J. The owner of the bed and breakfast establishment shall reside on the premises.

K. No building in which a bed and breakfast establishment is operated shall be closer than eight hundred (800) feet to a building in which another is operated.

L. If on-lot sewer service is provided, DEP and/or the Sewage Enforcement Officer shall approve the method of sewage disposal.

M. No accessory buildings shall be used to provide rooms for overnight guests.

N. Only one (1) building per property shall be used for overnight guests.

SECTION 1109. BEEKEEPING

A. Colonies shall be maintained in transportable frame hives.

B. Hives shall be located within the rear yard area of the lot and be placed to maximize sunshine exposure and wind protection.

C. Hives shall be located no closer than one hundred (100) feet from any property line unless a six (6) foot high fence is located along any adjacent property line for a distance of at least one hundred (100) feet from the hives, when in no case shall hives be located within fifty (50) feet of any property line.

D. Hives shall have access to an on-site water supply. Unless a natural water supply exists on the subject tract, the beekeeper shall provide a water-filled tank with a board or crushed rock as a landing area for bees.

E. Hives shall not be oriented to active yard areas or neighboring properties.

F. Adequate techniques in handling bees shall be maintained to prevent unprovoked stinging within one hundred (100) feet from the hive.

SECTION 1110. BOARDING HOUSES

A. The subject tract shall front on and gain access from either an arterial, major collector, or minor collector road, or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

B. The minimum lot area shall be two (2) acres.

C. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized.

D. No external modifications which would alter the residential character of the dwelling, with the exception of fire escapes, are permitted.

E. All floors above ground level shall have a direct means of emergency escape to ground level.

F. One (1) off-street parking space shall be provided for each room available for rent, in addition to the required spaces for the existing dwelling unit.

G. Meals shall be offered only to registered tenants.

H. The building shall be no closer than one thousand (1000) feet from another boarding home.

SECTION 1111. BOARDING SCHOOLS OR COLLEGES

A. All colleges or boarding schools shall have a minimum lot area of twenty (20) acres.

B. Public sewer and public water approved by the Pennsylvania Department of Environmental Protection must be utilized.

C. Access shall be via an arterial or collector street.

D. Building shall be at least fifty (50) feet apart, except that where they face end to end or corner to corner they shall be at least thirty (30) feet apart.

E. Maximum building coverage shall not exceed forty (40) percent of the total land area.

F. Any buildings or other structures must be set back at least fifty (50) feet from any property line.

G. The lot width at the street right-of-way line shall be a minimum of two hundred (200) feet.

SECTION 1112. CAMPGROUNDS

A. The minimum lot area for a campground shall be ten (10) acres.

B. All campsites shall have a setback of fifty (50) feet from any side or rear property line and a minimum of one hundred (100) feet from any street right-of-way line.

C. The maximum number of campsites within each campground shall not exceed twelve (12) per acre, provided that a minimum of three thousand (3000) square feet is reserved for each site.

D. A minimum of one (1) automobile parking space shall be provided for each site, and such parking space shall not interfere with the vehicular movement along the internal access drives of the campground. Equivalent parking may be provided by a common parking compound. On-drive parallel parking shall be permitted.

E. The internal access drive system shall have a minimum cartway width of ten (10) feet for each driving lane and shall be improved with any hard surface material acceptable to the Board of Supervisors. The Board of Supervisors may require additional cartway improvements for campgrounds proposing more than fifty (50) sites when, in the judgement of the Board of Supervisors, such improvements are beneficial to the vehicular circulation and safety of the campground.

F. All playground and recreation areas shall be at least one hundred (100) feet from adjoining residential properties with the usage of these areas being limited to registered campers and their guests.

G. All campgrounds shall furnish centralized sanitary and garbage collection systems which shall be located at least one hundred (100) feet from adjoining residential properties and be appropriately screened.

H. Any accessory commercial and/or service facilities shall be located at least one hundred (100) feet from adjoining residential properties and shall be limited to serve only the needs of the registered campers and their guests. Direct access to these facilities from the public street is prohibited. Appropriate screening shall be provided for these facilities when they adjoin adjacent residential properties.

I. Active or passive recreation areas shall comprise at least twenty (20) percent of the gross area of the campground.

J. All sanitary sewer and water supply facilities shall be subject to the approval of the appropriate authorities.

K. All lighting facilities shall be designed and located so as to not produce a glare or direct illumination onto abutting properties.

L. No campground may be located within one thousand (1000) feet of an existing dwelling.

M. No automobile trailer, cabin, travel trailer, motorhome, tent, or camper approved for location on the premises shall be utilized as a permanent place of abode or as a permanent dwelling.

N. Every trailer or campground shall have erected thereon at a distance not greater than four hundred (400) feet from any cabin, tent site, trailer site, or camper site which it is designed to serve, a suitable building for housing toilets, showers, and laundry facilities. Such building is to be known as the service building.

O. There shall be provided separate toilet rooms for each sex. Flush toilets shall be provided with an adequate water supply in the ratio of one (1) men's toilet and one (1) ladies' toilet for each eight (8) cabins, trailer sites, tent sites, or camper sites or fraction thereof. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one (1) lavatory to every two (2) or less water closets.

SECTION 1113. CAR WASHES

A. The subject tract shall front on and gain access from either an arterial, major collector, or minor collector road or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

B. Centralized sewer and water facilities shall be provided.

C. Each car wash bay shall allow for a stacking of three (3) vehicles, but not within any yard setbacks.

D. The site shall be kept debris and trash free with the owner or manager of the car wash responsible for site maintenance.

E. All lighting facilities shall be designed and located so as to not produce a glare or direct illumination onto abutting properties.

F. A traffic impact study may be required.

SECTION 1114. CEMETERIES

A. A minimum lot area of four (4) acres shall be provided for a cemetery.

B. All burial plots and facilities shall be located at least one hundred (100) feet from any property line or street line.

C. In no case shall any use relating to a cemetery be located within the one hundred (100) year floodplain of an adjacent watercourse.

D. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.

E. Trash and earth storage must be more than one hundred (100) feet from any property or street line.

SECTION 1115. CHURCHES AND RELATED USES

A. Churches

1. The subject tract shall front on and gain access from either an arterial, major collector, or minor collector road, or a street in a proposed subdivision or land development plan which conforms to prevailing arterial or collector street design and improvement requirements.

2. The minimum lot area shall be two (2) acres, and the minimum lot width shall be two hundred (200) feet.

3. A side yard setback of fifty (50) feet shall be maintained on each side.

4. All off-street parking facilities shall be at least twenty-five (25) feet from the street right-of-way line.

B. Church-Related Residences

1. Residences located on the same parcel as the church shall be subject to the same standards for detached single-family dwellings in the underlying district.

C. Church-Related Educational or Day Care Facilities

1. All church-related educational or day care facilities shall conform to all the regulations for public or for-profit educational or day care facilities.